

STROOCK

By CM/ECF

October 23, 2013

Curtis C. Mechling
Direct Dial: 212-806-5609
Fax: 212-806-6006
cmechling@stroock.com

The Honorable Katherine B. Forrest
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 730
New York, NY 10007-1581

Re: *In re: 650 Fifth Avenue and Related Properties*,
08 Civ. 10934 (KBF) and all Member and Related Cases

Dear Judge Forrest:

We represent the Greenbaum, Acosta, Beer, and Kirschenbaum judgment creditors (“Plaintiffs”) and write regarding the Islamic Education Center’s (“IEC”) submission, dated October 21, 2013, ECF Nos. 991 and 992 (“Innocent Owner Submission”).

To the extent the IEC’s Innocent Owner Submission purports to be in response to Plaintiffs’ Supplemental Motion for Summary Judgment and the Government’s Motion for Summary Judgment Against the Alavi Foundation’s Interest in Seven Real Properties In the Name of the Alavi Foundation, both dated October 7, 2013, ECF Nos. 952 and 956, it is untimely and should be stricken. By this Court’s order, responses to “[s]ubmissions as to the seven real properties held in the name of Alavi only (referred to in footnote 14 of this Court’s Opinion & Order of September 16, 2013, ECF No. 865) . . . shall be filed by *Wednesday, October 16, 2013*.” Order, dated October 7, 2013, ECF No. 949 (emphasis added). The IEC has not demonstrated good cause for its late submission.

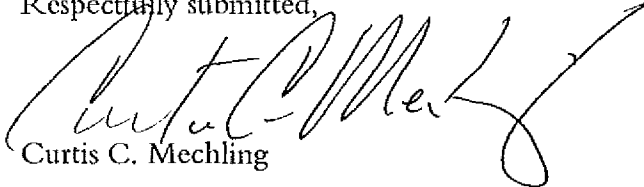
To the extent the IEC’s submission purports to assert an innocent owner defense as to two of the seven real properties which are the subject of the Government’s pending motion, such submission is premature. Any consideration of IEC’s purported innocent owner defense should be held in abeyance pending determination of the motions for

The Honorable Katherine B. Forrest
October 23, 2013
Page 2

summary judgment. Unless and until the Court has ruled on the forfeitability of these properties, no innocent owner analysis is appropriate.

Accordingly, we respectfully request that the Court direct that no party need respond to IEC's Innocent Owner Submission pending further order of the Court and that the issues raised in IEC's submission will be held in abeyance until after this Court rules on the Government's Motion for Summary Judgment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Curtis C. Mechling", is written over the typed name. The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Curtis C. Mechling

cc: Counsel of Record